

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**TIMOTHY SCOTT LITTLE**

**PLAINTIFF**

**NO. 4:19CV00056-JMV**

**NANCY BERRYHILL,  
COMMISSIONER OF SOCIAL SECURITY**

**DEFENDANT**

**ORDER ON PETITION FOR ATTORNEY FEES**

Before the Court are Plaintiff's motion [19] for attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and Defendant's response [20].

In these proceedings Plaintiff sought judicial review of the Social Security Commissioner's final decision denying a claim for benefits. By Final Judgment [18] dated September 6, 2019, this Court remanded this case to the Commissioner for further proceedings. Plaintiff now seeks attorney fees in the amount of \$4,769.95 for 23.96 hours of attorney time before this Court on the grounds that Plaintiff was the prevailing party and the Commissioner's position was not substantially justified. The Acting Commissioner does not oppose the requested award.

The Court, having thoroughly considered the motion, response, and the applicable law, finds the requested award is reasonable, and no special circumstance would make the award unjust. The Court further finds the award should be made payable directly to Plaintiff pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 589 (2010).

**THEREFORE, IT IS ORDERED:**

That the Acting Commissioner shall promptly pay to Plaintiff \$4,769.95 in attorney fees for the benefit of counsel for Plaintiff.

This 26<sup>th</sup> day of November, 2019.

/s/ Jane M. Virden  
U. S. MAGISTRATE JUDGE